

CALIFORNIA SB 1193

REASONABLE COMPENSATION FOR DAMAGED OR DESTROYED EVIDENCE

EVANS



Current Location: Assembly Appropriations Committee

SB 1193 is a bill by Senator Noreen Evans (D-Santa Rosa) that changes the requirements for handling medical cannabis and plants seized by law enforcement as evidence. If enacted, the law would require that legal patients and caregivers be compensated for damaged or destroyed property that was wrongfully confiscated. The changes to the requirements for handling medicine will provide better direction for law enforcement agencies, especially in areas where larger-scale outdoor cultivation is more common. The requirement that legal patients and caregivers receive reasonable compensation is a fair provision that will protect patients' rights and deter unwarranted confiscation of medical cannabis and plants.

The bill reinforces the decision in *City of Garden Grove v. Superior Court of Orange County* (68 Cal. Rptr. 3d 656, Cal. Ct. App. 2007). In that case, the California Fourth Appellate Court ruled that wrongfully confiscated medicine must be returned to the defendant and that federal law does not prevent the return of medical cannabis. The US Supreme Court denied a request for review of this landmark case.

Americans for Safe Access (ASA), the nation's leading medical cannabis patients' advocacy organization, supports SB 1193.

ADDITIONAL COMMENTS: _____

COMMENTS PROVIDED BY: _____
(first name / last name) (City / zipcode)